



P.O. Box 1199

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Livingston, MT 59047

## JOB SERVICE EMPLOYER COMMITTEE

### October 9, 2007 Minutes of the Meeting

Jim Hunt, Chairman  
Retired

Joe Bennett, Manager  
Albertsons

Susy Dunn, Consumer Loan Officer  
First Interstate Bank

Jim Durgan, Commissioner  
Park County

Manny Goetz  
Yellowstone Country Motors

Hillary Johnson, Residential Director  
Counterpoint

Gary Kane, Principle  
Livingston Park High School

Larry Lahren, Chair  
Park County Commissioners

Jane Wynne Larkin, E.D.  
Frontier Assisted Living

Gail McCormick, President  
Hallett Minerals

Ed Meece, City Manager  
City of Livingston

Patty Miller  
Showcase Writer's Guild

Polly Miller  
Park County

Dick Murphy, Commissioner  
Park County

Lou Ann Nelson, Office Manager  
Livingston Chamber of Commerce

Pam Payovich, Financial Dept  
City of Livingston

Gay Penney, Marketing Specialist  
Sky Federal Credit Union

Charlton Pino, Owner  
Big Bear Contracting

Marne Reed, HR Manager  
Printingforless.com

Lara Salazar, HR Specialist  
Community Health Partners

Michele Severson, CSR  
American Bank

Chuck Sinclair, Interim Administrator  
Evergreen of Livingston

Brian Sparks, Director  
Yellowstone Gateway Museum

Joyce Heiser, Manager  
Livingston Job Service

MEMBERS PRESENT: Jim Hunt, Chairman; Tom Frisby, Regional Director Workforce Services; Joyce Heiser, Manager Livingston Job Service; Chuck Sinclair, Administrator Evergreen; Jane Wynn, Executive Director Frontier; Pam Payovich, Accounting City of Livingston; Zanya Betley and Susan Hanken, Workforce Services.

#### ORDER OF AGENDA:

1. \*Minutes from last meeting, September 18, 2007, stand as read.

\*Bank Balance: \$621.63; \$411.00 of Job Fest; \$210.63 of JSEC.

2. \*Park County is experiencing 1.8% unemployment rate and it is not foreseen to increase at any time in the future. In some parts of the country including Park County, the housing market influences the job market making it difficult for people to relocate and buy homes in those communities.

\*More on the Incumbent Worker Training from Tom.

-The Montana Department of Labor and Industry Incumbent Worker Training Grant is available for businesses to provide training in any specialized area that will improve or develop the skills of an employee in order to meet business's needs including operations, productivity, efficiency, or profitability. There is currently \$250,000.00 set aside statewide to help small business employers provide necessary training for their existing full time employees. Park County can receive 35,000.00 or more in training funds. The grant allows a maximum of \$2000.00 for each full time employee per year for businesses staffed with 20 or less employees in one location or 50 or less employees statewide. Businesses will match at least \$1.00 for every \$4.00 of grant funds requested for training purposes. Contact Susan Hanken for more information.

-The Business Expansion And Retention Team – BEAR, will assist and approve local businesses for the grant monies.

-Hand outs were distributed during the meeting and will be forwarded with the Minutes as an attachment including: Addressing Labor Shortage, Hiring for Talent, and Top Ten Workforce Trends. No further discussion ensued.

\*Sue will send a JSEC meeting time announcement to the Community News Editor of both the Enterprise and the Weekly each month.

\*So far, everyone likes receiving the Employment Law Tidbits sent out by email and mail. Sue will email the tidbits to the City Manager, also. According to Tom, statistically, Employers who learned employment laws succeeded the most in their businesses. Also discussed wrongful discharge, policies, documenting, and probationary periods.

3. \*Workshop, Seminars, Informational Sessions:

\* We will schedule a training with Jim Nys from Personnel-Plus in Helena but first we need to decide which training to begin with. Following is a list of choices. Please let Sue know your preference by email or phone. These trainings will require maximum participation or the class will be cancelled.

\* Personnel-Plus topics-

*Hiring and Recruitment  
Discipline and Discharge  
Management and Leadership  
Performance Management  
Sexual Harassment/EEO  
Wage and Hour*

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Susan Hanken,  
Livingston Job Service  
[shanken@mt.gov](mailto:shanken@mt.gov)  
406 222-8907

\*Jim suggested that JSEC could waive the cost of two seminars out of eight scheduled or per year for JSEC Members only once we get Workshops scheduled.

\*Tom will talk with Avitus Group Consulting Firm to conduct a Workshop for a minimal charge per participant. JSEC members should email or telephone Sue with suggestions for a Workshop Topic then Sue will contact them to set up a date and time for the Workshop.

\*Most importantly, we need to build up the JSEC bank balance.

4. \*Members suggested sending out formal invitations to our next JSEC meeting. We would like to see participation from the Hospital, School District, or Realtor Association.

4.

### **Wage Payment Act**

- 39-3-201(6)(a), MCA (Montana Codes Annotated)

- **Establishes when wages are due and payable.**
- Within ten (10) business days after they are due and payable while the employee is still employed.
- If the employee quits, wages are not due until the next pay day for the period in which the employee was separated, or 15 days, whichever occurs first. This applies to public sector, private sector, and employers from within the state of Montana as well as employers whose payroll originates outside the state of Montana.
- If an employee is laid off, or discharged, all wages are due immediately unless the employer has a pre-existing, written personnel policy that extends the time for payment. The wages cannot be delayed beyond the next pay day for the period in which the separation occurred, or 15 days, whichever occurs first.

### **FAQ**

Q: - Probationary period and termination of employment -

A: - **Montana Code 39-2-904:(2)(a) and (b) Elements of wrongful discharge -- presumptive probationary period.**

(2) (a) During a probationary period of employment, the employment may be terminated at the will of either the employer or the employee on notice to the other for any reason or for no reason.

(b) If an employer does not establish a specific probationary period or provide that there is no probationary period prior to or at the time of hire, there is a probationary period of 6 months from the date of hire.

<http://data.opi.mt.gov/bills/mca/39/2/39-2-904.htm>